
REMARKS

In the restriction requirement, Applicants were requested to elect from the following inventions:

Group I: Claims 1-22 and 25

Group II: Claim 23

Group III: Claim 24

Applicants elect without traverse to prosecute the claims of Group I. Accordingly, claims 23 and 24 have been amended to positively recite a massage capability.

The Office Action, mailed September 17, 2004, considered claims 1-22 and 25. In that action, claims 1-22 and 25 were rejected in view of various combinations of art.¹

By this paper, claims 1, 23, 24 and 25 have been amended, such that claims 1-25 remain pending in the application.

Claim 1 is generally directed to a hand-held integrated remote control and massage device that includes a housing having at least one massage surface, a remote control input interface on or in the housing for enabling a user to control at least one electronic entertainment device, and at least one motor at least partially within the housing for providing vibrating movement to the massage surface.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by *Moriyasu* (U.S. Pat. No. 6,027,463). Claim 1 has been amended so as to clearly claim a hand held integrated

¹ Claims 1-3, 16-17, and 25 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Moriyasu* (U.S. Pat. No. 6,027,463). Claims 4-6 and 11-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moriyasu* in view of *Moriyasu*. Claims 7-8, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moriyasu* in view of *Trivett* (U.S. Pat. No. 6,535,125). Claims 9-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moriyasu* in view of *Hug* (U.S. Pat. No. 6,573,854) and *Trivett*. Claims 13-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moriyasu* in view of *Diamond* (Canadian Pat. App. 2,440,780). No specific rejection of claims 19-22 was cited. Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

remote control and massage device including a housing, a remote control input interface on or in
the housing, and at least one motor that is located at least partially within the housing. *Moriyasu* neither discloses nor suggests a hand-held integrated remote control and massage device having a housing, a remote control input interface on or in the housing, and at least one motor located at least partially within the housing. Instead the massage surface in *Moriyasu* is a chair-like structure connected to the remote control by a long wire. Accordingly, Applicants submit that claim 1 is patentable over the cited art, along with the claims that depend therefrom.

Claims 23 and 24 were amended to positively recite the inclusion of a massage surface and also at least one motor located at least partially within the housing for providing vibrating movement to the massage surface. For essentially the same reasons given above with respect to claim 1, Applicants submit that claims 23 and 24 are patentable over the art of record.

Claim 25 is generally directed to a massage device that may be selectively attached to a remote control device so as to form a hand-held integrated remote control and massage device that includes at least one massage surface, at least one motor for providing vibrating movement to the massage surface, means for selectively activating the at least one motor, and means for selectively attaching the massage device to a remote control device.

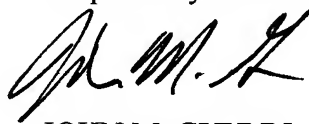
Claim 25 stands rejected under 35 U.S.C. 102(b) as being anticipated by *Moriyasu*. Claim 25 has been amended to clearly claim a massage device that may be selectively attached to a remote control device so as to form a hand-held integrated remote control and massage device. As discussed above, *Moriyasu* discloses no such device but rather a massage device connected to a separate remote control by a long wire. Applicants therefore submit that claim 25 is neither taught nor suggested by *Moriyasu*, alone or in combination with any other art of record.

Inasmuch as the forgoing remarks address all of the rejections of record, Applicants respectfully submit that the application, including all of the currently pending claims, is now in condition for prompt allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by Examiner amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 18th day of January 2005.

Respectfully submitted,



JOHN M. GYNN
Registration No. 36,153
Attorney for Applicant
Customer No. 022913
(801) 533-9800